

statement that he had refused to officiate.

So far the Presbyterian and Baptist churches have not been put on record, but it is universally known that strictures on divorce in those churches are as severe as those of the Methodist Episcopal and Protestant Episcopal churches. This situation may compel Col. Astor to abandon all idea of an ecclesiastical marriage and content himself with a civil ceremony. He is now in Newport with his betrothed.

A shipload of Miss Forster's wedding presents has arrived at the Astor mansion and all plans are completed for the honeymoon. Col. Astor refused to make any comment upon the Rev. Brooks's refusal to officiate at the marriage.

## BROADWAY CROWD SEES RAIDERS PULL DOWN SHOWCASES

Bureau of Encumbrances Removes Obstructions to Traffic in Forty-second Street.

A gang of men from the Bureau of Encumbrances, escorted by a Sergeant of police and five patrolmen and accompanied by a big truck, descended on the block in Forty-second street between Sixth avenue and Broadway this afternoon and began a raid on showcases and other obstructions to traffic outside the stoop line arbitrarily placed recently when the project of widening the street was adopted. Within ten minutes after the raid started the block was the busiest place in town.

The invaders worked on both sides of the street. The owners of the stores had been previously warned and the policemen had the proper authority to warrant the seizure of obstructions. Shopkeepers were permitted to remove their displays from the showcases before the latter were piled from their fastenings and loaded on the truck.

A cigar case near Sixth avenue was the first to go. Then a dentist was allowed to take his display of false teeth and similar evidences of his trade from a big glass showcase which was roughly yanked from its place. The protests of the storekeepers and their clerks attracted such a crowd that the cross-town car line was blocked and the overflow, spreading into Longacre Square and mingling with the massive crowds impeding the progress of the Broadway cars.

All encumbrances outside the stoop line were removed and taken to the corporation yards.

## PANIC IN FACTORY

(Continued from First Page.)

side of the building. They took to the fire escapes. The other girls made their way to the staircases and got down safely.

On the fourth floor is an establishment for the finishing of moving picture films. Owing to the inflammable nature of the stuff handled, the factory is literally flamed with fire extinguishers. The employees of this concern, armed with extinguishers rushed to the third floor and did good work in preventing the spread of the flames before the arrival of the firemen.

**GIRLS' SCREAMS BRING RESERVES FROM STATION.**

Although the stairs were wide and the descent easy, the girls who thronged down the fire escapes screamed as loudly as they could. Their clamor gathered a great crowd which interfered with the work of the firemen until police reserves hustled around from the West One Hundredth street station.

Edward Conlon, the operator of the passenger elevator, and Michael Shea, operator of the freight elevator, ran their cars to the top floor when the alarm was sounded and descended slowly, stopping at each floor. But the persons who were not fighting the fire preferred to descend by the stairways, except two girls, who waited on the top floor for Conlon to take care of them.

The fire was confined to the third floor, but considerable damage was done by water to the moving picture show on the second floor and the stores on the ground floor. The Ninth avenue "L" road passes along Columbus avenue at this point at a level with the tops of the buildings. The fire was so intense that smoke from the clouds of smoke from the fire which bothered the motor engineers.

## ST. LOUIS MAN FREED OF ABANDONING WIFE.

Son of Millionaire Hotel Owner Discharged Here as Case Is Settled.

James Adolph Ableson, son of Julius D. Ableson, millionaire owner of the Terminal Hotel in St. Louis, who was arrested Aug. 29 in his office at No. 35 Warren street, in response to a request from Chief of Police William Young of St. Louis that he be held on a charge of abandoning his wife, was discharged this afternoon in Centre Street Police Court.

The Ableson family is prominent socially in St. Louis and the domestic troubles of the pair have provided a lively bit of scandal. The wife, Mrs. Helen Ableson, sued her father-in-law for \$50,000 damages for alienation of her husband's affections and young Ableson brought an action for divorce. In retaliation, Mrs. Ableson obtained a warrant charging her husband with abandonment, which is a felony in Missouri. Inspector Hughes told Magistrate O'Connor he had received a telegram from Chief Young, saying the Governor of Missouri had refused regulation papers and that he understood the case had been settled.

## HOTEL MAN KILLED BY BARTENDER FOR ATTENTION TO GIRL

Murderer Escapes After Shooting in Resort at 7th Avenue and 38th Street.

NO ONE WILL TELL NAME

Rubbish Angered Young Woman's Followers by Urging Her to Save Money.

For the second time in a short month a shooting affray this afternoon interrupted the frantic efforts of Elsie Fitzgerald, formerly a laundry girl, to impress Seventh avenue with the idea that she is "a good feller." This time it was murder.

Charley Rubbish, proprietor of a notorious resort at Seventh avenue and Thirty-eighth street, was shot dead while he was arguing with her in the effort to make her leave Seventh avenue alone and make better use of the \$20,000 she recently won from the Cadillac Hotel as damages for the loss of a hand.

Three weeks ago Jimmy Boylan, bartender of another hotel owned by Rubbish and his partner, "Skush" Thomas, was shot over his mixing glasses by Thomas in a quarrel resulting from a scolding given Boylan by Thomas because of Boylan's acceptance of the lavish gifts the girl scattered with her one whole hand. Boylan is in Bellevue.

**TOLD HIM TO CUT OUT SEVENTH AVENUE.**

The girl was sitting in the back room of Rubbish and Thomas's Hotel Charles—formerly Reach's Hotel of unsavory memory—this afternoon, talking to Rubbish. In his clumsy, good-natured way he was trying to tell her that she was making a fool of herself and ought to quit her recent companions.

"They're making a boob of you, Elsie," he said. "They're a lot of wolves after a poor little one-armed girl and it makes me sore. Now, last night you borrowed a hundred off'n me. I know you're good for it. But if you keep on you won't be good for the price of a shell of beer in six months. Cut it out."

The girl, a full-blooded beauty of a rather coarse, Celtic type, was angry. She began counting out \$100 in bills from a fistful of money containing a far larger sum.

A waiter was hanging over him.

"Quit your rubbering," growled Rubbish to him. "Chase yourself."

The waiter slunk away into the bar at the front. In a moment he came back with an evil, half frightened smile on his face.

"Tommy wants to see you in the bar," he said.

"Scuse me," said Rubbish and walked to the swinging door into the barroom and pushed it open.

Two quick shots stung the ears of the waiter or waiter and women in the back room. There were shouts and curses out in front. Rubbish came staggering backward with his hand at his head.

**GIRL GAVE HIM \$100 AS HE FELL.**

Elsie Fitzgerald sprang at him. She did not realize he was hurt, apparently. She thrust \$100 into his hand, which closed over it as he fell backwards to the floor, his head against the knees of May Evans, who had been sitting at the table with her.

Word flashed from mouth to mouth along the street of what had happened and reached the West Thirty-seventh street station. Detectives Cruise, Murphy and Devanney dashed around to the saloon, blocked the doors and arrested everybody inside. Great silence fell on the tongues of the witnesses.

The most the police could get them to admit was that Tom Crimp, one of the bartenders, who had come to work drunk this morning and had been growing all day about the way "the boss had been trying to crab his game to get a little change" had slipped off his white apron just after the shots sounded down at the end of the bar, had grabbed his street coat and had run out as he pulled it on.

## BLACK HAND CHIEF HELD FOR CARRYING BOMB

(Continued from First Page.)

of other gangs. He blamed the way that others followed.

The detectives hope to prove that he made the bombs which were used not only by his own followers but by other gang leaders in Harlem, Brooklyn and nearby cities.

By the power of his nerve and his ability to command the obedience of reckless young men, Costello levied tribute on his countrymen of the east side as the Tamorra levied tribute in the province of Italy. None disputed his right to prey in the territory he had selected as his own. He had the collection of blackmail down to a system. "Costello," said Inspector Hughes to-day, "visited the small merchants and pushed men of the east side with

the regularity of a collector for an installment furniture house."

Although he has collected many thousands of dollars from his countrymen in New York by blackmailing methods, although he has blown up their homes with bombs and the detective assert, he has stolen and held children for ransom, it is not likely that any of them will appear in court as complainants against him.

**ONE OF HANGERS-ON MAY ASSUME COMMAND.**

Costello is in the Tombs, but the fifteen or twenty men who were his active agents and the scores of hangers-on who profited by his operations are at large and there is fear that among these one will take up the reins of command and carry on his operations.

Some ten days ago Inspector Hughes summoned Detectives Charles Carro, Edward Castano and Peter Dondero to his office. There had been a series of bomb explosions on the east side.

"Do you know a man called 'Tep-penello'?" asked the Inspector.

"We know him well," replied Carro. I arrested him with Joe Petrosino three years ago after we found his pal, Bonaventura, setting off a bomb at No. 311 East Eleventh street. Bonaventura refused to testify against him and he was discharged in court."

"Go out and get him," commanded the Inspector. "Don't stop until you land him and don't land him until you get the goods on him."

The detectives proceeded to "plant" Costello. Day and night one or the other kept him in sight while he was away from home in Christie street. Frequently Costello spotted his shadows. They would purposely drop him, to pick him up again later.

**WAS SHOT EARLIER THAN USUAL YESTERDAY.**

Yesterday they saw him approaching them in Prince street. They were surprised, as they were on his way to "plant" him, and he had not been in the custom of leaving his home before afternoon. It was before noon when Costello was seen approaching.

Costello sight of the detectives Costello turned and started back on his tracks. Then they rushed up and nabbed him, knowing from his actions that he was afraid to meet them. And under his coat they found a bomb which he was evidently about to deliver.

Costello never set off his own bombs. He had men of proved nerve and resourcefulness to do that for him. In his gang he divided his followers into two classes. The first class men set off the bombs and collected the large money. The second class men singled out victims and did small blackmailing.

Some of the members of the gang worked hard every day and assisted Costello only because they liked the excitement, appreciated the little extra money and wanted in the reputation of being desperadoes.

**RETURNS TO AIDS NOT VERY LARGE.**

The returns were not large. Costello rarely paid more than \$5 for setting off a bomb. Only when a big haul was made would he divide up more than a dollar or two apiece among his gang. But the small returns kept the gang busy. Each man had his block or district which he watched carefully.

In cases where the victim showed signs of rebellion Costello took personal charge and, if he could not swing the money by threats, he sent one of his followers with a bomb.

Inspector Hughes said he had heard from the Bureau of Combustibles this morning that the bomb used yesterday in the shooting of Costello is a dangerous one and contained enough explosive materials to kill persons and destroy property.

## "BIG TIM" TELLS JUST WHAT HIS GUN LAW MEANS

Senator Timothy D. Sullivan to-day took issue with District Attorney Whitman and other lawyers upon the constitutionality of his bill to prevent the unlicensed sale or possession of weapons. In a lengthy statement he insisted that it is entirely within the police power of the State to require a license as a condition prerequisite to buying, carrying or keeping at one's home weapons provided in what is known as "The Sullivan bill."

Chief of interest in the statement is the assertion that before it was presented to the Legislature it was revised by a Justice of the Supreme Court. The Senator declares that the bill is simple and easy of understanding. He charges that manufacturers of arms are not many of the technical objections to the bill, upon which point he says:

"I have got my suspicions that a lot of these technicalities and hair-splitting are being thrown out or inspired by those who are most interested in having the provisions of the law annulled—that is the manufacturers and dealers in firearms—who seem not to care how many people are killed, how many families are being bereaved, how many dependent widows and orphans are left, how many are wounded and maimed as a result of the promiscuous sale and use of firearms as long as they get their full share of the profit through an indiscriminate sale."

He said that the purpose of the bill was to prevent undesirable persons from possessing weapons, and that he favored the issuance of licenses to householders (who, under the Whitman opinion, have a right to keep weapons bought prior to Sept. 1, anyway) not only by the Police Department but by the Magistrate sitting in each jurisdiction, and at a nominal fee.

The Senator's statement with regard to keeping pistols at home is chiefly of moment. In it he says:

"The law means just what it says—that it was my idea—that the intent of the Legislature is to make every person who keeps any pistol, revolver or other firearm of a size which may be concealed upon the person who keeps it anywhere in his house, place of business, in his store, in his trunk, to take out a license for so keeping it."

**MISSIONARY WAS POISONED.**

Rev. O. E. Davis Left Letter Telling of Plot by Indians.

GEORGETOWN, British Guiana, Sept. 6.—Rev. O. E. Davis, Superintendent of the British Guiana Mission of the Seventh Day Adventists, whose death at the hands of natives in the interior was announced yesterday, was poisoned. Letters left by the missionary give in detail the circumstances of the crime. It is understood that his campaign against the practice of polygamy exasperated the natives.

## SWIMS CHANNEL; DUPLICATES FEAT OF CAPT. WEBB



## BURGESS SWIMS ENGLISH CHANNEL; IN WATER 24 HOURS

Wins in Ninth Attempt and Is Only Man to Duplicate the Feat of Capt. Webb.

CALAIS, France, Sept. 6.—William Burgess to-day swam the English Channel from South Foreland to Cape Gris-Nez at the mouth of Calais Harbor, being the second man in history to accomplish the feat. He started at 10.30 A. M. yesterday and left the water at 10.30 this morning. Capt. Webb was the first and only previous swimmer to pass the treacherous channel.

Burgess is a Yorkshireman and for several years it has been his ambition to swim the channel and he made a study of it. During his trials he was never actually exhausted, but stopped after making a study of the conditions he had to overcome.

The distance from Dover to Calais is twenty miles and from South Foreland to Cape Gris-Nez is slightly less. Burgess's swim was a remarkable exhibition of pluck and determination in the face of adverse tides and heavy fogs. He was accompanied by friends in a motor launch and several times during the long ordeal stopped for food and rest, which he took in the water. His mother awaited him at the landing here and was the first to congratulate him.

Burgess's success to-day in swimming the English Channel followed nine plucky but unsuccessful attempts to negotiate the narrow span of water between the French and English coasts. Numerous attempts have been made to swim the Channel since 1875, when Capt. Matthew Webb swam from Dover to Calais in 21 hours and 45 minutes, but no one has been able to duplicate Capt. Webb's feat until to-day.

Burgess made his first try for the honor on Sept. 6, 1904, but gave up after a struggle of about fifteen hours. The next day he started again, but, after covering twenty-two miles in about nine hours, was forced to abandon his attempt because of a gale. In his successive tries Burgess each time was forced to abandon the attempt when the goal was almost within his grasp.

While the Channel between Dover and Cape Gris-Nez is only twenty miles wide, the tide through the straits is very strong and swimmers are obliged to cross at a wide angle.

An fort recently to erect a statue to the memory of Capt. Webb, the first channel swimmer, was abandoned when the people of his native village objected because of the famous swimmer's figure was draped only in bathing trunks.

## BOY HERO SAVES BROTHER YANKED IN RIVER BY FISH

A group of boys were having the time of their lives fishing in the Hudson off Two Hundred and Forty-seventh street to-day, when eight-year-old Charlie Burroughs, whose home is near the dock, felt a great tug at his line.

"Come, fellows," he shouted, "I've got a whale!"

"Stick to him, kid," cried one of the other boys, and all gathered around to watch the struggle.

Charlie pulled his big catch in foot by foot, wrapping the line around his wrist. The tugging of the big fish grew stronger, and all of a sudden Charlie's foot slipped and he was jerked headlong off the wharf into the river.

The other boys shouted for help and Charlie's brother David, thirteen years old, came running down the pier. Without waiting to take off coat or shoes, he dove after the struggling boy and succeeded in holding him partly above water until men arrived and pulled both out. Dr. Tibbels Mackay, who resided and Thirty-first street and Bailey avenue was passing as the time and gave first aid to the unconscious Charlie, who was revived and sent home, none the worse for his ducking.

The fish must have been a whopper, for it disappeared with Charlie's line, and the rod, too.

## GETS A CLAWING FOR RESCUING CAT FROM HIGH LEDGE

Maltese, Excited by Night of Peril at Window, Attacks Porter.

DESTROYS MILLINERY.

Dodges Crowd in Street, Darts Into Shop and Tears Up Stuffed Birds.

The plump maltese cat that some way got out onto the ledge of the third story window of the closed apartment of Mrs. Wechsler at No. 146 West Forty-fifth street last night and thrilled many thespians by refusing to budge when coaxed and urged by dwellers in neighboring houses, was scooped from the ledge to-day by a colored porter in sight of cheering hundreds. The porter risked his own life on the ledge of the adjoining house at No. 148.

The porter, George Washington Lincoln Brown, got the cat with a crab net. When he got back into the room he had come out of to rescue the cat the ungrateful feline attacked him and clawed and clawed from him and created havoc in a millinery shop on the ground floor.

**BELL ON THE CAT TINKLED ALL NIGHT.**

It is somebody's pet cat—probably Mrs. Wechsler's. Mrs. Wechsler is in the country. There is a collar about its tufted neck and a bell on the collar. That bell tinkled all night and drew the attention of midnight and post-midnight throngs which passed along the opposite way in front of the Hudson Theatre. The cat was first discovered before the theatre let out, but the hours of darkness had given way to the hours of light before any sane effort was made to get the cat off the ledge.

Nearly policemen on fixed post were appealed to in behalf of the cat by tender-hearted women, but they only shrugged their shoulders and said that a cat ought to be able to take care of itself at any altitude. Women in neighboring houses put out planks and cooed to the cat to jump the gap from the ledge. Pieces of meat and pieces of fish on strings were employed to lure the cat off the ledge, but Pussy refused to lure, pacing back and forth in characteristic feline uneasiness, meowing and shaking her head so that the little bell on her collar tinkled incessantly.

George Washington Lincoln Brown is employed by the millinery people on the ground floor, and he was urged by his employers to rescue the cat. There was a jam in front of the millinery store that threatened to split the plate-glass windows.

**BIG CROWD IN STREET CHEERS THE RESCUE.**

After sizing up the situation, G. W. L. Brown provided himself with a crabnet and went upstairs. As he balanced himself on the window ledge of No. 148 and reached out with the net for Pussy on the ledge of No. 146, the crowd in the street watched closely. He nailed Pussy with the net on the first try and then the crowd howled in delight.

All of the clerks in the millinery store went out to see Pussy fished off the ledge. They were still out on the pavement when Pussy came down stairs after venting her ill-humored gratitude upon G. W. L. Brown. They all went back into the shop when they saw Pussy leap for a bird-of-paradise on a \$150 creation. Pussy nailed the bird-of-paradise and went to the mat with it until there was only \$25.00 worth of the \$150 creation intact. Then Pussy turned her attention to a snow owl and went three rounds with that helpless stuffed relic of Arctic ornithology. She seemed to be having a series of fits and could not be side-tracked until she had demolished the owl. One of the clerks reached for her then and she scooted into the street, dodging through the crowd and vanishing in a nearby alleyway.

**BEATTIE EXPECTS JURY TO DISAGREE; 7 TO 5 AGAINST HIM**

(Continued from First Page.)

The twelve men of impassive face in whose minds is locked the secret of Beattie's fate rose as usual with the break of day, and after breakfast in the tiny hotel here crowded on the green, breaking not a jot of mirth, however, but the strains of religious hymns, and the prisoner, not far away, heard them. Their friends call them "earnest, God-fearing," and declare they are of the kind to weigh evidence carefully. They now have heard all the evidence and it remains only for them to reach a verdict. To knit together the relevancy of the various testimony into consistent argument. Upon the argument, it is generally conceded, much will depend, as the defense expects to make its strongest plea on the dangers of accepting circumstantial evidence.

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